

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Jason Malone	Team: Team # 1	CCRB Case #: 200305644	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input checked="" type="checkbox"/> Injury
Incident Date(s) Monday, 07/21/2003 4:25 AM	Location of Incident: West 44th Street & 8th Ave	Precinct: 14	18 Mo. SOL 1/21/2005	EO SOL 1/21/2005	
Date/Time CV Reported Mon, 07/21/2003 4:30 AM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Thu, 07/24/2003 2:34 PM		

Complainant/Victim	Type	Home Address
[REDACTED]	[REDACTED]	[REDACTED]

Subject Officer(s)	Shield	TaxID	Command
1. POM Michael Klein	27451	925811	MTS PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. SGT Michael Jones	04040	902815	MTS PCT
2. POM Adrian Calemno	06389	926631	MTS PCT
3. POM Kevin Gieras	06612	923883	MTS PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Michael Klein	Force: POM Michael Klein used physical force against § 87(2)(b) [REDACTED]	[REDACTED]

### Synopsis

On 7/21/03, § 87(2)(b) was watching a fight at West 44<sup>th</sup> Street and 8<sup>th</sup> Avenue in Manhattan when police officers arrived and attempted to break up the crowd of onlookers. § 87(2)(b) proceeded to walk away when he and PO Michael Klein became embroiled in a verbal altercation. PO Klein pushed § 87(2)(b) causing him to trip on a cardboard box and sprain his ankle.

On 8/7/03, the complainant's phone was disconnected, which prevented the investigator from contacting the complainant until 9/8/03. On 9/8/03, the investigator spoke to the complainant and scheduled him for an appointment, which he did not attend. The investigator sent out a missed appointment letter and attempted to contact the complainant, via phone and mail, with no response. § 87(2)(g)

Investigator:

Date:

Supervisor:

Date:

Reviewed by:

Date:

Reviewed by:

Date: